

**JAMUL DULZURA
COMMUNITY PLANNING GROUP
DRAFT MINUTES
Tuesday, May 11, 2010
(To be approved May 25, 2010)
Oak Grove Middle School Library
7:30 pm**

1. **Call to Order:** Dan Kjonegaard called the meeting to order at 7:30 p.m.
2. **Roll Call Present:** Dan Kjonegaard, Janet Mulder, Jonathan Shultz, Wythe Davis, Randy White, Dan Neirinckx, Krishna Toolsie, Yvonne Purdy-Luxton, Dale Fuller, Steve Wragg and Judy Bohlen

Absent: Earl Katzer

Excused: James Talbot, Frank Hewitt, and Michael Casinelli
3. **Motion to approve the Agenda for May 11, 2010 as posted 72 hours before the meeting, and the minutes for April 27, 2010 correcting the minutes at the very end of Item 7 to read: Dan said the program that was in existence at this point was not for mitigating higher densities but for environmental impacts. Motion carried unanimously.**
4. **Open Form - Opportunity for public to speak on any item not on the agenda - limit 3 minutes**
 - a. **JDCPG Roster - Randy White** sent in a corrected FAX number and **Janet** no longer has a FAX number. **Dan** will make the corrections and send them to us.
 - b. Annual Planning Group training is now Saturday, June 5 from 10-1 at East Valley Community Center. **Judy Bohlen** has the disk and will give it to anyone who has been unable to be at the meeting.
 - c. SD Planning Commission recommended that the Tiered Winery Ordinance be approved and Frank wrote that there were no significant changes to since we reviewed it.
 - d. **Randy White** asked about property zoned 6 14019 Campo Road as they have turned it into a farmers' market and swap meet. **Steve Wragg** said that if it were all indoors that would be okay, however **Randy** pointed out that it was partly outdoors. **Dan Kjonegaard** suggested that he call **Pam Elias in Code Enforcement** to ask how to proceed.
 - e. **Wythe Davis** will not be present at the next meeting.
5. **TPM20958 – McKenna Subdivision 13990 Jamacha Hills Appeal – Dan Neirinckx** reported that the Planning Commission seemed upset about the way this project was handled. **Commissioner Day** recommended approval with the overriding circumstances, and was told that he could not do that by County Counsel. It was sent back to DPLU staff to re-look at the project reconsidering fees incurred and the access

road to see if it meets the fire codes. **Dan** was at the meeting and thought of the JDCPG voting to grant an appeal, but spoke to **Brian Baca** who felt we did not have grounds because the decision made by the Planning Commission was to uphold the original appeal and send it back to the DPLU.

Theresa McKenna left the hearing confused and it was determined that even though her appeal was granted, it apparently was not all granted, and through county counsel's advice, the Planning Commission was not in a position to rule on some of the points she brought forward including errors on the part of DPLU. She is trying to get to the BOS to get them to make a decision as whether to approve her project, or to force DPLU to reimburse her for their errors. She feels the required road improvements are out of line with the size of the project. **Dan Kjonogaard** pointed out that Theresa McKenna is willing to make the improvements upon which her project would be conditioned concurrent with the development. **Dan Neirinckx moved we support the project as we recommended approval to DPLU, and additionally we support the appeal to the Board of Supervisors, and further, that we would like to have the ability to file an appropriate appeal in the future in support of this project as we have previously approved it, without coming back to the JDCPG. Motion carried unanimously.**

6. **GPA09-003, POD 08-002 – Amending the Zoning Ordinance Repeal of BP I-79 & I-102 Dan Neirinckx reporting.** This came before the Planning Commission and brings the ordinance into consistency with state law and gives a density bonus program for low-cost housing for elderly households which means BP I-79 would be repealed. The second part is the County's existing density bonus for mobile home parks is being discontinued because the new program includes mobile home parks under housing and therefore BP I-102 will be repealed. State law allows a density bonus as a ministerial act and depending on the amount of reserve units the density bonus ranges from 5 to 35%. The applicant is allowed to receive up to three incentives or concessions depending on the number of low cost houses they are planning. In addition the density bonus is lowered from 55-150% increase under Policy I-79 to 40 to 50% under the new program. The repeal of Policy 3.8 and BP I-102 significantly reduces the density bonus currently available to mobile home parks in the low-density designations (rural and semi-rural areas of General Plan. The last item is that in order to do the density bonus a contract must be entered into with the County and it must remain low-income for 30 years.

7. **SDG&E Sub- Committee Report – Jim Talbot was** out of town due to a family emergency and **Dan Neirinckx** reviewed some documents regarding site 10a – west of SR94 – Lakes property – SDG&E had indicated that the easement made it impossible to use. They presented a quick claim deed dated 6-18-04 and the benefit of the easement goes to both Otay Lakes as well as the State of California as they still have villages 14 and 16 that could need the easement. This effectively eliminates site 10a from consideration. **Jim Talbot** told Dan that he wanted SDG&E to come to the whole

planning group if they were through with the processing of the times. **Dan** asked SDG&E to report to us on the urgency to get this substation built now and not consider any other sites.

Judy Bohlen reminded us that we should stick to our guns in requiring under-grounding of the lines and we want the photo sims to be legitimate.

Dan Neirinckx will contact Jim Talbot to see if he will be back in town within a week. If not, then **Dan and Janet** will go to see **Rob Cameron of Otay Ranch** to see if they can broker a meeting with SDG&E.

8. **General Plan Update – Dan Neirinckx** introduced **Gus Button 13012 Highway 94** who has lived in Jamul for 40 years who received a notice of proposed property change which would split zone his property. At this point it is zoned all C-36 and they are proposed zoning would make half of his property in commercial and half in residential. The location of his house is right in the middle of the split in the zoning. He is asking to have the existing C-36 remain over his property. **Dan Neirinckx** pointed out that there are several other areas in question in which the County is trying to change the zoning from commercial to residential and will call a **General Plan sub-committee meeting for update and zoning and density consistency on Tuesday, May 18 at Oak Grove Library at 6:30.**

Dan Kjonagaard moved we support Gus Button and parcel number 596-040-10-00 so the zoning and plan designation remain commercial as it currently exists. Motion carried unanimously.

9. **Jamul Indian Village Casino Status – Randy White** stated that there has been three buildings put onto the Jamul Village Land and pulled Cox Cable across the street.

10. **JDCPG Officers' Announcements and Reports Dan Neirinckx reported**
 - a. Letter from Registrar of Voters – all even seats are up for election and Dan Kjonagaard will read it and report back.
 - b. AD10-024 – Barba – 1781 Mother Grundy Truck Trail – Oversized structure – Barn & Garage - 42.29 acres – Given to Yvonne Purdy – Luxton
 - c. Planning Commission Agenda – May 14, 2010 – Zoning Medical marijuana – Yvonne Purdy-Luxton will review and report back

Adjournment: Dan Kjonagaard adjourned the meeting 9:00 p.m. reminding us that the next regular meeting is **May 25, 2010 at 7:30 p.m. at OAK GROVE MIDDLE SCHOOL LIBRARY**

PLEASE NOTE:

SDG&E Substation Subcommittee will meet on May 25 at 6:30pm before the regular meeting in the Oak Grove Middle School Library.

Respectfully submitted,
Janet Mulder, Secretary